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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10037	7590	10/25/2005	EXAMINER	
MILDE & HOFFBERG, LLP 10 BANK STREET SUITE 460 WHITE PLAINS, NY 10606			TRAN, QUOC A	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/584,631

Applicant(s)

ORR, JOSEPH K.

Examiner

Quoc A. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 and 18-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: amendment filed 08/19/2005, to the original application filed 05/31/2000.
2. Claims 1-16 and 18-35 are currently pending in this application, claim 17 has been canceled. Applicants amended claims 1, 10, 13, 26, 30 and 33-34. Claims 1, 13, 26, 30, 33 and 34 are independent claims.

### ***Response to Argument***

3. Applicant's arguments with respect to claim 1-16 and 18-35 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Regarding to Applicant's arguments directed toward the un-amended claims (i.e. dependent claims 2-9, 11-12, 15-16, 19-25, 27-29, 31-32 and 35). It is noted, that Matthews et al, fairly teach and/or suggest the claims' limitations.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

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5. **Claims 1-16 and 18-35** are rejected under 35 U.S.C. 103(a) as being unpatentable by Matthews et al. (hereinafter Matthews) "Complete Reference FrontPage 2000" (Public Release 05/01/1999, By Osborn/McGraw-Hill, Ca, USA), in view of Bernardo et al. US006684369B1- filed 06/19/1998 (hereinafter Bernardo '369), further in view of Chailleux US006404441B1- filed 07/16/1999 (hereinafter Chailleux '441).

**In regard to independent claim 1, program code which automatically associates textual input with said saved image to create a page associating said text said textual input with said saved image to create a page associating said text and said image in a common internet language** (as taught by Matthews pages 518-521, i.e. a further object of the FrontPage 2000 wherein the DHTML Positioning dynamically wrapping text around the object, show more in detail in figure on page 519 and Figure 14-3 through 14-4) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein automatically associates textual input with said saved image would have been an obvious variant of the DHTML Positioning dynamically wrapping text around the object (e.g. FrontPage 2000 insert image tool, wherein user can selected the image from files or other sources)) to a person of ordinary skill in the art at the time the invention was made,

**and program code to automatically store said data in a memory** (as taught by Matthews page 508 in the bottom half of the page, i.e. a further object of the FrontPage 2000 wherein the DHTML allows data to be cached) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein automatically store said data in a memory would have been an obvious variant of data to be cached to a person of ordinary skill in the art at the time the invention was made,

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Matthews does not explicitly teach, **program code for prompting a user to input textual information for association with a computer output image displayed on a computer screen**, however (Bernardo '369 at col. 3 line 15 through col. 4, line 5, discloses an automate software tool for use with a computer system for simplifying the creation of Web sites, wherein a plurality of pre-stored templates, HTML formatting code, text, fields and formulas and a series of menus or views to guide the user through the creation of a web site, where the views comprise screens to enable the site creator to select the various features and options for the Web site and forms for entering text that is used to populate fields of stored templates) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein output image displayed on a computer screen would have been an obvious variant of pre-stored templates screen, and a series of menus or views to guide, to a person of ordinary skill in the art at the time the invention was made,

**the portion of the computer screen being defined both by received data and operation of a computer program**, however (Bernardo '369 at col. 3 line 15 through col. 4, line 5, discloses an automate software tool for use with a computer system for simplifying the creation of Web sites, wherein a plurality of pre-stored templates, HTML formatting code, text, fields and formulas and a series of menus or views to guide the user through the creation of a web site, where the views comprise screens to enable the site creator to select the various features and options for the Web site and forms for entering text that is used to populate fields of stored templates) Examiner read the above in the broadest reasonable interpretation to the claim limitation.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Matthews, wherein the FrontPage 2000 program was used to create robust, high quality web application from capture files and template input/interactive by user, to include a means of prompting a user to input textual information for association with a computer output image displayed on a computer screen, wherein the portion of the computer screen being defined both by received data and operation of a computer program of Bernardo '369. One of ordinary skill would be motivated to perform such a modification to enable the site creator/user to select the various features and options for the Web site and forms for entering text that is used to populate fields of stored templates without the need of writing any soft ware code (as taught by Bernardo '369 at col. 2, lines 35-60).

Matthews and Bernardo '369 do not explicitly teach, **program code responsive to an input command to automatically capture an image representing at least a portion of the computer screen**, however (Chailleux '441 at col. 7 line 60 through col. 9, line 25, also see Fig. 3-7, discloses a system for creating media presentation of computer software application program, wherein screen shots captured during execution of the program, the basis of the sequence is a series of screen shots, or displays, that are selected for presentation to a viewer of the sequence may automate the process where, for example, another computer program automatically performs one or more of the authoring steps described herein),

**and said saved image in a predetermined image format**, however (Chailleux '441 at col. 7 line 60 through col. 9, line 25, also see Fig. 3-7, discloses the dialogue box used in Leelou to allow the sequence author to select a resolution. Predefined resolutions of 640x480, 800x600 and 1024x768 are possible. Alternatively, a custom size can be selected. Also, the author can

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decide to have screenshots taken of the active window by selecting the so-named option in the dialogue box, also shown in the dialogue box is the name of the Leelou file to which the screenshots will be stored to which the screenshots will be stored).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Matthews, wherein the FrontPage 2000 program was used to create robust, high quality web application from capture files and template input/interactive by user, to include a means of prompting a user to input textual information for association with a computer output image displayed on a computer screen, wherein the portion of the computer screen being defined both by received data and operation of a computer program of Bernardo '369, further to include a program code to responsive to an input command to automatically capture an image representing at least a portion of the computer screen, and said saved image in a predetermined image format of Chailleux '441. One of ordinary skill would be motivated to perform such a modification provides users the ability to effectively operate the complex application programs, sophisticated graphical user interfaces (GUIs) have been developed to elevating the use of traditional approaches traditional approaches, which is tend to be insufficient to support a new user's ongoing need for instruction in the software application, such as instructors training and preparation, writing, publishing and maintaining effective references either electronic or hard copy ( as taught by Chailleux '441 at col. 1, lines 25-60).

**In regard to independent claims 13, 26, 30 and 33, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and are similarly rejected along the same rationale,**

**means for transmitting said additional pages to a remote site** (as taught by Matthews page 848, i.e. Publishing the webpages).

**In regard to independent claim 34**, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and are similarly rejected along the same rationale,

, ...**master page being in common internet language, said master page comprising a correct content illustrating a computer screen, means for input data in response to displayed portion of said master page, means for creating an answer page being in a common internet language**, however (Bernardo '369 at col. 3 line 40 through col. 4, line 5, discloses a software tool for use with a computer system for simplifying the creation of Web sites, wherein a plurality of pre-stored templates, HTML formatting code, text, fields and formulas and a series of menus or views to guide the user through the creation of a web site, where the views comprise screens to enable the site creator to select the various features and options for the Web site and forms for entering text that is used to populate fields of stored templates) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein master page, input data in response to displayed portion of said master page, creating an answer page would have been an obvious variant of pre-stored templates, HTML formatting code, text, fields and formulas and a series of menus or views to guide the user through the creation of a web site, where the views comprise screens to enable the site creator to select the various features and options for the Web site and forms for entering text that is used to populate fields of stored templates, to a person of ordinary skill in the art at the time the invention was made.



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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Matthews, wherein the FrontPage 2000 program was used to create robust, high quality web application from capture files and template input/interactive by user, to include a means of program code for prompting a user to input textual information for association with a computer output image displayed on a computer screen, and responsive to an input command to automatically capture an image representing at least a portion of the computer screen, and the portion of the computer screen being defined both by received data and operation of a computer program and said saved image in a predetermined image format of Chailleux '441, further to include a means of using master page being in common internet language, said master page comprising a correct content illustrating a computer screen, means for input data in response to displayed portion of said master page, means for creating an answer page being in a common internet language of Bernardo '369 . One of ordinary skill would be motivated to perform such a modification provides users the ability to effectively operate the complex application programs, sophisticated graphical user interfaces (GUIs) have been developed to elevating the use of traditional approaches traditional approaches, which is tend to be insufficient to support a new user's ongoing need for instruction in the software application, such as instructors training and preparation, writing, publishing and maintaining effective references either electronic or hard copy ( as taught by Chailleux '441 at col. 1, lines 25-60).

**In regard to dependent claim 2, automatically reset the resolution of the computer screen from a first resolution to a second resolution and to save the first resolution (as taught by Matthews page 222, see Figure (picture set up) on page 222, i.e. default is 600x64**

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pixels, wherein user can use (keep Pixels), also (as taught by Matthews pages 227-230, see Figure 5-22, i.e. resolution set to Auto for working with photographs/ picture, which will get smaller, but content remain the same).

**In regard to dependent claim 3**, in corporate substantially similar subject matter as cited in claims 1 and 34 above, and are similarly rejected along the same rationale,

**In regard to dependent claim 4**, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

**In regard to dependent claim 5**, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and are similarly rejected along the same rationale,

**the inputted information to be stored as data fields** (as taught by Matthews pages 104-105, see Figure 3-1, i.e. web wizards wherein data field will be store in the database as anew web with single blank page).

**In regard to dependent claim 6**, program code which allows selected data fields of said page to be displayed to users while other data fields are hidden from the user display (as taught by Matthews pages 342-343, i.e. the selected fields are necessary for the user to answer), and also (as taught by Matthews page 373, i.e. insert note when you want to be visible and hidden while the web is being viewed).

**In regard to dependent claim 7**, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and are similarly rejected along the same rationale,

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**assign page numbers to each said page created and to allow selected pages to be displayed by the user in any desired order** (as taught by Matthews pages 170-176, see Figure 4-18, i.e. filelist tells FrontPage how user want the files in the template store in the web accordingly).

**In regard to dependent claim 8, common Internet language is HTML** (as taught by Matthews pages 460-462).

**In regard to dependent claim 9, common Internet language is XML** (as taught by Matthews pages 524-525).

**In regard to dependent claims 10, 11, 12 and 14-15, incorporate substantially similar subject matter as cited in claims 1 and 33-34 above, and are similarly rejected along the same rationale, i.e. examiner reads “books” as pages and “master book” as master page, as defined by Applicants, see the Specification pages 13-15.**

**In regard to dependent claim 16, maintaining a database of authorized users** (as taught by Matthews pages 634-635, i.e. data base results wizards);

**and providing the ability to deny access to unauthorized users** (as taught by Matthews pages 761-767see Figure 21-5, i.e. user account control).

**In regard to dependent claims 18, 19 and 20, incorporate substantially similar subject matter as cited in claims 13-16 above, and are similarly rejected along the same rationale.**

**In regard to dependent claim 21, incorporate substantially similar subject matter as cited in claims 1 and 33 above, and is similarly rejected along the same rationale. Examiner reads, “book” as “page”, as defined by Applicants, see the Specification pages 13-15.**

**In regard to dependent claim 22**, incorporate substantially similar subject matter as cited in claims 33-34 above, and is similarly rejected along the same rationale. Examiner reads, “book” as “page”, as defined by Applicants, see the Specification pages 13-15.

**In regard to dependent claims 23, 24 and 25**, incorporate substantially similar subject matter as cited in claim 16 above, and are similarly rejected along the same rationale.

**In regard to dependent claim 27**, incorporate substantially similar subject matter as cited in claims 33-34 above, and is similarly rejected along the same rationale. Examiner reads, “book” as “page”, as defined by Applicants, see the Specification pages 13-15.

**In regard to dependent claim 28**, incorporate substantially similar subject matter as cited in claim 10, and is similarly rejected along the same rationale.

**In regard to dependent claim 29**, incorporate substantially similar subject matter as cited in claim 11, and is similarly rejected along the same rationale.

**In regard to dependent claim 31, means to receive additional pages and add said additional pages in said database** (as taught by Matthews pages 64-65, i.e. as each page is completed, save it and mark the task as complete, selected the next page to open in page view).

**In regard to dependent claim 32, means for associating predetermined groups of pages into books** (as taught by Matthews pages 81-98, see Figure 2-22 and 2-23, i.e. using templates wizards to create a ready-made page without interact with you. Wizards will ask you a series of questions for a customized page is created further included the hyperlinks view allows you to look at all the pages in the web. Examiner reads, “book” as “page”, as defined by Applicants, see the Specification pages 13-15).

**In regard to dependent claim 35**, is directed to a system for performing the method of claim 11, and is similarly rejected along the same rationale.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 9 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Quoc A. Tran*

*Patent Examiner*

*Technology Center 2176*

*October 21, 2005*

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*10/21/2005*